

**AGENDA**  
**CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT**  
**Friday, August 5, 2005 AT 1:00 P.M.**  
**ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR**

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**I. AMENDMENT TO RULES OF PROCEDURE,  
RULE 2 – HEARINGS, A. ORDER OF HEARING CASES**

This rule shall be amended to require that the Secretary shall place any appeals of staff decisions at the beginning of the agenda, and in numerical order if there is more than one appeal on a particular agenda. The amended Rule shall be rewritten as follows:

A. ORDER OF HEARING CASES. Cases shall be heard in the order in which they were filed with the Secretary of the Board. The Secretary shall place any appeals of staff decisions at the beginning of the agenda, and in numerical order if there is more than one appeal on a particular agenda. The Board may change the order in which cases are heard at any meeting, and must vote to approve any such change at the beginning of the hearing. If an applicant is not present when his or her case is called, the Board, at its discretion, may place that case at the end of the agenda.

**II. NEW CASES**

**V-05-150** Application of **Adam Jones** for a variance from the zoning regulations to 1) reduce the half- depth front yard setbacks from the required 15 feet to 3 feet and 2) reduce the west side yard setback from the required 7 feet to 6 six feet for construction of a single- family residence. The property is located at **961 WYLIE STREET S.E.**, fronts 28 feet on the south side of Wylie Street, and begins on the southwestern corner of Wylie Street and Webster Street. Zoned R-5 (Single- Family Residential) District. Land Lot 13 of the 14<sup>th</sup> District, Fulton County, Georgia.

**Owner: Marathon Holding, LLC**  
**Council District 5, NPU-N**

**V-05-180** Application of **Weslee Knaap** for a variance from the zoning ordinance to 1) reduce the front yard setback from the required 40 feet to 30 feet, 2) reduce the north side yard setback from the required 17 feet to 7 feet 4 inches, and 3) a special exception for parking in the rear yard. The property is located at **672 & 678 MORELAND AVENUE N.E.**, fronts 123 feet on the west side of Moreland Avenue, and begins on the northwestern corner of Moreland Avenue and Blue Ridge Avenue. Zoned RG-3 (Residential General- Sector 3) District. Land Lot 16 of the 14<sup>th</sup> District, Fulton County, Georgia.

**Owner: Weslee Knapp**  
**Council District 6, NPU-N**

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- V-05-181**      Application of **Byran L. Sells** for variances from the zoning regulations to 1) reduce the west side yard setback from the required 7 feet to 0 feet and 2) increase the lot coverage from the allowable 50% to 55% for construction of an arbor and spa, special exceptions from the zoning regulations to 3) allow an 8 foot high wall to be erected along the west side property line, where only a 6 foot high wall is permitted and 4) allow for the installation of a spa adjacent to a street. The property is located at **1291 MCLENDON AVENUE N.E.**, fronts 45 feet on the south side of McClendon Avenue, and begins 45 feet from the southeast corner of McClendon Avenue and Candler Street. Zoned R-4 (Single-Family Residential) District. Land Lot 209 of the 15<sup>th</sup> District, DeKalb County, Georgia.  
**Owner: Bryan L. Sells**  
**Council District 6, NPU-N**
- V-05-182**      Application of **Gary Iskol** for a special exception from the zoning regulations to allow for active recreation (i.e. a swimming pool) adjacent to a public street where it is otherwise prohibited. The property is located at **641 E. MORNINGSIDE DRIVE N.E.**, fronts 85 feet on the south side of E. Morningside Drive, and begins on the southwest corner of E. Morningside and Cumberland Place. Zoned R-4 (Single-Family Residential) District. Land Lot 51 of the 17<sup>th</sup> District, Fulton County Georgia.  
**Owner: Gary Iskol**  
**Council District 6, NPU-F**
- V-05-184**      Application of **Kenneth W. Dunwoody** for a variance from the zonings regulations to reduce the front yard setback from the required 50 feet to 40 feet and 2) reduce the half-depth front yard setback from the required 25 feet to 17 feet, for construction of a new single-family house. The property is located at **2985 HOWELL MILL ROAD N.W.**, fronts 100 feet on the north side of Howell Mill Road, and begins on the northeast corner of Howell Mill Road and St. Anne's Lane. Zoned R-3 (Single-Family Residential) District. Land Lot 183 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Kenneth W. Dunwoody**  
**Council District 8, NPU-C**
- V-05-185**      Application of **Serge Watson** for 1) a variance from the zoning regulations to reduce the front yard setback from the required 35 feet to 25 feet to allow for a one and two-story addition to a non-conforming duplex, and 2) a special exception from the zoning regulations for an addition to a non-conforming use. The property is located at **634 WILSON ROAD N.W.**, fronts 80 feet on the south west side of Wilson Road, and begins 331 feet east of the south east corner of Wilson Road and Galdstone Road. Zoned R-4 (Single-Family Residential) District. Land Lot 154 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Chris Cykosi**  
**Council District 8, NPU-C**

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- V-05-187**      Application of **David Fowler** for variances from the zoning regulations to 1) reduce the front yard setback from the required 35 feet to 27 feet and 2) reduce the west side yard setback from the required 7 feet to 1 foot 8 inches, for addition of a deck and a second story to an existing single-family house. The property is located at **917 HIGHLAND TERRACE N.E.**, fronts 55 feet on the south side of Highland Terrace, and begins 625 feet west of the southwest corner of North Highland Avenue. Zoned R-4 (Single- Family Residential) District. Land Lot 1 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: David Fowler**  
**Council District 6, NPU-F**
- V-05-188**      Application of **Alan Freeman** for variances from the zoning regulations to reduce the southwest side yard setback from the required 10 feet to 5 feet to allow for a one-story addition to a single- family house. The property is located at **3159 E. WOOD VALLEY ROAD N.W.**, fronts 100 on the south side of East Wood Valley Road, and begins 461.8 feet north of the northern corner of Moores Mill Road and East Wood Valley Road. Zoned R-3 (Single- Family Residential) District. Land Lot 157 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: 3159 East Wood Valley Road**  
**Council District 8, NPU-A**
- V-05-189**      Application of **Sarran Marshall** for a variance from the zoning regulations to 1) reduce the east side yard setback from the required 5 feet to 3 feet and 2) reduce the west side yard setback from the required 5 feet to 3 feet for construction of a single- family house. The property is located at **38 ORMOND STREET S.E.**, fronts 35 feet on the north side of Ormond Street, and begins 79 feet west of the northwest corner of Ormond Street and Fraser Street. Land Lot 54 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Jem Investment Properties, LLC**  
**Council Districts 1, NPU-V**
- V-05-190**      Application of **Allen Hoss** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 20 feet to 10 feet and 2) allow for a 22 foot wide driveway in the west side yard setback where only a 10 foot wide driveway is allowed, for construction of new multi- family townhouses. The property is located at **616 & 620 ANGIER AVENUE N.E.**, fronts 101.6 feet on the north side of Angier Avenue, and begins 151.6 feet east of the northeast corner of Angier Avenue and Glen Iris Drive. Zoned LW (Live Work) District. Land Lot 18 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Stephen D. Clemens**  
**Council District 2, NPU-M**

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**V-05-191**      Application of **William H. Schoeffler** for a variance from the zoning regulations to reduce the north side yard setback from the required 10 feet to 2 feet for a garage addition to a single- family house. The property is located at **4290 PEACHTREE DUNWOODY ROAD N.E.**, fronts 80 feet on the west side of Peachtree Dunwoody Road, and begins 100 feet south of the southwest corner of Peachtree Dunwoody Road and Loridan Circle. Zoned R-3 (Single- Family Residential) District. Land Lot 42 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: William H. Schoeffler**  
**Council District 7, NPU-B**

**V-05-228**      Application of **William M. Simmons, Jr.** for a variance from the zoning regulations to reduce the front yard setback from the required 35 feet to 22 feet for construction of a single- family residence. The property is located at **4219 RICKENBACKER WAY N.E.**, fronts 85 feet on the east side of Rickenbaker Way, and begins 216.8 feet northeast of the eastern corner of Rickenbaker Drive and Rickenbaker Way. Zoned R-4 (Single- Family Residential) District. Land Lot 65 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Lauren Songy**  
**Council District 7, NPU-B**

**DEFERRED CASES**

**V-05-75**      Application of **Cornerstone Mission, Inc.** for 1) a special exception from the zoning regulations to add a deck to a legally nonconforming four-unit multifamily residential use, and 2) a variance from the zoning regulations to reduce the northwest side yard setback from the required 7 feet to 1 foot for construction of front and side deck additions to the multifamily building. Property is located at **1250 EUCLID AVENUE, N.E.**, fronts 50 feet on the northwest side of Euclid Avenue, and begins 698.3 feet northeast of the northeast corner of Euclid Avenue and Moreland Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 240 of the 15<sup>th</sup> District, DeKalb County, Georgia.  
**Owner: Cornerstone Mission, Inc.**  
**Council District 6, NPU-N**

**V-05-78**      Application of **Beth B. Holloway** for a variance from the zoning regulations to reduce the east side yard setback from the required 7 feet to 2 feet, for construction of a detached storage shed accessory building. Property is located at **901 PLYMOUTH ROAD N.E.**, fronts 70 feet on the south side of Plymouth Road, and begins 406.6 feet east of the southeast corner of Plymouth Road and Pelham Road. Zoned R-4 (Single- Family Residential) District. Land Lot 3 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Beth B. Holloway**  
**Council District 6, NPU-F**

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- V-05-132**      Application of **Stephen J. Eichelberger** for a variance from the zoning regulations to reduce the front yard setback from the required 10 feet to 0 feet for construction of a multifamily building with four live-work units. (Zoning Review Board recommended approval of rezoning to C-3 in May, 2005). Property is located at **638-640 MARIETTA STREET N.W.**, fronts 376 feet on the west side of Marietta Street and begins on the western side of Marietta Street where elevated above North Avenue. Zoned I-1 (Light Industrial) District (pending rezoning to C-3). Land Lot 82 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Central City Cooperative, LLC**  
**Council District 2, NPU-M**
- V-05-134**      Application of Legend Properties, LLC for a special exception from the zoning regulations to reduce on-site parking from the required 8 spaces to 0 spaces for construction of a retail building. Property is located at **461-13, 465 & 471-3 NELSON STREET S.W.**, fronts 216.7 feet on the northwest side of Nelson Street, 198 feet on the south side of Chapel Street, and 103 feet on the southwest side of Tatnall Street, and begins at the south west corner of Nelson Street and Chapel Street. Zoned I-1 (Light Industrial) District. Land Lot 84 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Legend properties**  
**Council District 2, NPU-M**
- V-05-135**      Application of **William Weidmann** for variances from the zoning regulations to 1) reduce the rear yard setback from the required 15 feet to 5 feet and 2) allow a parking pad/turnaround in the half- depth front yard setback, for construction of a one-story detached garage at the back of a single- family house, and 3) a special exception from the zoning regulations to install a 6 foot high wall gate, where up to a 4 foot high fence and fence gate is allowed. Property is located at **1944 ARDMORE ROAD N.W.**, fronts 100 feet on the west side of Ardmore Road, and begins at the southwest corner of Ardmore Road and Collier Road. Zoned R-4 (Single- Family Residential) District. Land Lot 146 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Kathy Loveless**  
**Council District 8, NPU-E**
- V-05-147**      Application of **Ramsey Agan** for a special exception from the zoning regulations to construct a fence and gate at heights of 4.5 to 9 feet, where up to a 4 foot high fence is allowed. The property is located at **3511 ROXBORO ROAD N.E.**, fronts 80 feet on the northeastern side of Roxboro Road, and begins 65 feet southeast of the southeastern corner of Roxboro Road and Kingsboro Road. Zoned R-3 (Single-Family Residential) District. Land Lot 9 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Ramsey Agan**  
**Council District 7, NPU-B**

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- V-05-158**      Application of **Monica Woods** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 20 feet to 7 feet and 2) reduce the south side yard setback from the required 20 feet to 7 feet. The property is located at **1061 HANK AARON DRIVE (A.K.A. CAPITOL AVENUE) S.W.**, fronts 45 feet on the west side of Hank Aaron Drive, and begins 471 feet north of the northwest corner of Hank Aaron Drive and Weyman Avenue. Zoned R-LC (Residential-Limited Commercial) District. Land Lot 74 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: JLW Development, LLC**  
**Council District 2, NPU-V**
- V-05-159**      Application of **Monica Woods** for variances from the zoning regulations to 1) reduce the north yard setback from the required 20 feet to 7 feet, and 2) reduce the south side yard setback from the required 20 feet to 7 feet, for the construction of a new single-family house. The property is located at **1065 HANK AARON DRIVE (A.K.A. CAPITOL AVENUE) S.W.**, fronts 36 feet on the west side of Hank Aaron Drive, and begins 435 feet north of the northwest corner of Hank Aaron Drive and Weyman Avenue. Zoned R-LC (Residential-Limited Commercial) District. Land Lot 74 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: JLW Development, LLC**  
**Council District 2, NPU-V**